

O

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

USA, §
§
Plaintiff, §
VS. § CRIMINAL ACTION NO. C-05-281
§
AMANCIO GARZA, JR., §
§
Defendant. §

ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f).

The following requires detention of the defendant pending trial in this case:

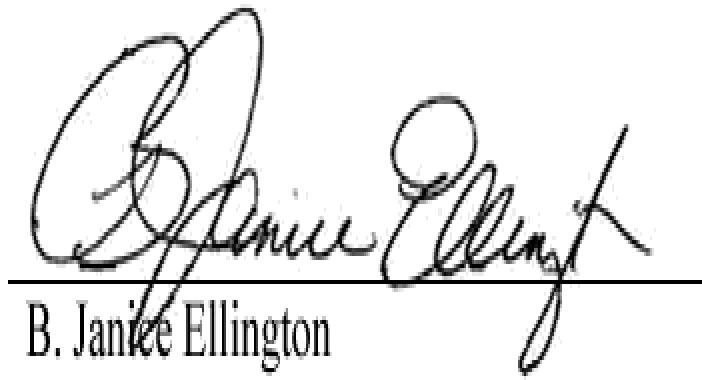
- (1) There is a serious risk that the defendant will not appear for court as required; and
- (2) There is a serious risk that the defendant will endanger the safety of another person or

the community.

The evidence against the defendant is substantial. A search warrant executed at the defendant's house resulted in the finding of nine firearms, along with a loaded rifle in the defendant's car. Defendant is a convicted felon. The search warrant in this case was obtained for the purpose of searching for illegal drugs. The defendant had previously sold drugs to cooperating informant. The findings and conclusions contained in the Pretrial Services Report, supplemented by the testimony of the defendant's wife and father, are adopted. Defendant was on bond when this offense was committed, reflecting that he is either unable or unwilling to comply with court ordered conditions of release.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 23rd day of May, 2005.



B. Janice Ellington
United States Magistrate Judge